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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

**In the Matter of:
Shane A. Jimenez,**

Debtors

**Case No.: 23-10176
Chapter: 13**

Hearing Date: May 9, 2023

Judge: ABA

**CERTIFICATION OF SHANE A JIMENEZ
IN SUPPORT OF OBJECTION TO CLAIM #6**

Shane A. Jimenez, of full age, does hereby certify as follow:

1. I am the debtor for the debtor and am authorized to make this certification.
2. Attached hereto as **Exhibit A** is Proof of Claim #6, filed by US Bank National Association not in its individual capacity but solely as Trustee for RMTP Trust, Series 2021 BKM-TT-V for a mortgage in the amount of \$251,560.33 with an arrears amount of \$88,312.81 (the "Claim").
3. I am objecting to the Claim because the arrears amount is grossly overstated.
4. I received a loan modification in May of 2020. See attached hereto as **Exhibit B**.
5. The lender previously acknowledged the loan modification.
6. I filed a bankruptcy case in 2019 bearing case no 19-26076.
7. I filed an application to approve the loan modification in that case. The lender did not object.
8. The lender filed a certification of default which clearly shows I was only in post-petition arrears post loan modification, see **Exhibit C**.
9. Shortly after my first case was dismissed, the lender rescheduled my sheriff sale.
10. Despite correspondence from their attorneys to the contrary, the sheriff sale was completed.
11. My attorney filed a Motion to Set Aside Sheriff Sale, see **Exhibit D**.

12. The Motion was further supported by the attorneys for the lender, see **Exhibit E**.
13. The Motion to Set Aside Sheriff Sale was granted by the court, see **Exhibit F**.
14. On several occasions, the lender and their counsel have acknowledged my loan modification.
15. However, this proof of claim does not seem to recognize the modification.
16. Clearly, I obtained a loan modification in May of 2020 and therefore, the proof of claim should be adjusted accordingly.

WHEREFORE, the Debtor requests that the Court enter an Order:

- A. DISALLOWING the Claim US Bank National Association not in its individual capacity but solely as Trustee for RMTP Trust, Series 2021 BKM-TT-V as filed; and
- B. REDUCING the arrears claim from \$88,312.81 to \$33,093.47 and DISALLOWING the remaining claim of US Bank National Association not in its individual capacity but solely as Trustee for RMTP Trust, Series 2021 BKM-TT-V which takes the Loan Modification from May of 2020 into consideration.
- C. Any other relief the Court deems just and equitable.

I hereby certify that the above statements by me are true and correct, under penalty of perjury.

BY: /s/ Thomas G. Egner

DATE: April 5, 2023

Thomas G. Egner